

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

IN RE: C. R. BARD, INC.,
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL No. 2187

THIS DOCUMENT RELATES TO C. R. BARD WAVE 4 & WAVE 5 CASES

MEMORANDUM OPINION AND ORDER
(*Daubert* Motion re: Donna-Bea Tillman, Ph.D., M/P.A., FRAPS)

Pending in *In re C. R. Bard, Inc. 2:10-md-2187*, MDL 2187, is the plaintiffs' *Daubert* motion¹ to Exclude Opinions and Testimony of Donna-Bea Tillman, Ph.D., M/P.A., FRAPS [ECF No. 4549]. The motion is now ripe for consideration because the briefing is complete. As set forth below, the plaintiffs' motion is **GRANTED**.

I. Background

These groups of cases reside in one of seven MDLs assigned to me by the Judicial Panel on Multidistrict Litigation ("MDL") concerning the use of transvaginal surgical mesh to treat pelvic organ prolapse ("POP") and stress urinary incontinence ("SUI"). In the seven MDLs, there are more than 29,000 cases currently pending, approximately 3,000 of which are in the C. R. Bard, Inc. MDL, MDL No. 2187.

In an effort to manage the massive Bard MDL efficiently and effectively, the court decided to conduct pretrial discovery and motions practice on an individualized

¹ Rather than refile, the plaintiffs entered a "notice" adopting prior *Daubert* motions that incorporate the parties positions previously formulated in Waves 1 and 2.

basis. To this end, I selected certain cases to become part of a “wave” of cases to be prepared for trial and, if necessary, remanded.

Upon the creation of a wave, I enter a docket control order subjecting each active case in the wave to the same scheduling deadlines, rules regarding motion practice, and limitations on discovery. *See, e.g.*, Pretrial Order (“PTO”) # 236, *In re C. R. Bard, Inc., Pelvic Repair Sys. Prods. Liab. Litig.*, No. 2:10-md-02187, Jan. 27, 2017, <https://www.wvsc.uscourts.gov/MDL/2187/orders.html>. Included among the discovery rules imposed by the court is the obligation of the parties to file *Daubert* motions seeking to limit or exclude the testimony of general experts in the main MDL, MDL 2187, and to identify which cases the motion would affect.

II. Legal Standard

Under Federal Rule of Evidence 702, expert testimony is admissible if it will “help the trier of fact to understand the evidence or to determine a fact in issue” and (1) is “based upon sufficient facts or data” and (2) is “the product of reliable principles and methods” which (3) has been reliably applied “to the facts of the case.” Fed. R. Evid. 702. A two-part test governs the admissibility of expert testimony. The evidence is admitted if it “rests on a reliable foundation and is relevant.” *Daubert v. Merrell Dow Pharm.*, 509 U.S. 579, 597 (1993). The proponent of expert testimony does not have the burden to “prove” anything. However, he or she must “come forward with evidence from which the court can determine that the proffered testimony is properly admissible.” *Md. Cas. Co. v. Therm-O-Disc, Inc.*, 137 F.3d 780, 783 (4th Cir. 1998).

The district court is the gatekeeper. It is an important role: “[E]xpert witnesses have the potential to be both powerful and quite misleading”; the court must “ensure that any and all scientific testimony . . . is not only relevant, but reliable.” *Cooper v. Smith & Nephew, Inc.*, 259 F.3d 194, 199 (4th Cir. 2001) (citing *Daubert*, 509 U.S. at 588, 595; *Westberry v. Gislaved Gummi AB*, 178 F.3d 257, 261 (4th Cir. 1999)). I “need not determine that the proffered expert testimony is irrefutable or certainly correct” – “[a]s with all other admissible evidence, expert testimony is subject to testing by ‘[v]igorous cross-examination, presentation of contrary evidence, and careful instruction on the burden of proof.’” *United States v. Moreland*, 437 F.3d 424, 431 (4th Cir. 2006) (alteration in original) (quoting *Daubert*, 509 U.S. at 596 (alteration in original)); *see also Md. Cas. Co.*, 137 F.3d at 783 (“All *Daubert* demands is that the trial judge make a ‘preliminary assessment’ of whether the proffered testimony is both reliable . . . and helpful.”).

Daubert mentions specific factors to guide the overall relevance and reliability determinations that apply to all expert evidence. They include (1) whether the particular scientific theory “can be (and has been) tested”; (2) whether the theory “has been subjected to peer review and publication”; (3) the “known or potential rate of error”; (4) the “existence and maintenance of standards controlling the technique’s operation”; and (5) whether the technique has achieved “general acceptance” in the relevant scientific or expert community. *United States v. Crisp*, 324 F.3d 261, 266 (4th Cir. 2003) (quoting *Daubert*, 509 U.S. at 593-94).

Despite these factors, “[t]he inquiry to be undertaken by the district court is ‘a flexible one’ focusing on the ‘principles and methodology’ employed by the expert, not on the conclusions reached.” *Westberry*, 178 F.3d at 261 (quoting *Daubert*, 509 U.S. at 594-95); *see also Kumho Tire Co. v. Carmichael*, 526 U.S. 137, 150 (1999) (“We agree with the Solicitor General that ‘[t]he factors identified in *Daubert* may or may not be pertinent in assessing reliability, depending on the nature of the issue, the expert’s particular expertise, and the subject of his testimony.’” (citation omitted)); *see also Crisp*, 324 F.3d at 266 (noting “that testing of reliability should be flexible and that *Daubert*’s five factors neither necessarily nor exclusively apply to every expert”).

With respect to relevancy, *Daubert* also explains:

Expert testimony which does not relate to any issue in the case is not relevant and, ergo, non-helpful. The consideration has been aptly described by Judge Becker as one of “fit.” “Fit” is not always obvious, and scientific validity for one purpose is not necessarily scientific validity for other, unrelated purposes. . . . Rule 702’s “helpfulness” standard requires a valid scientific connection to the pertinent inquiry as a precondition to admissibility.

Daubert, 509 U.S. at 591-92 (citations and internal quotation marks omitted).

III. Analysis

Bard seeks to offer Dr. Bea Tillman as an expert witness in the field of biomedical engineering and to testify regarding Bard’s compliance with regulatory and industry standards. The plaintiffs seek to exclude Dr. Tillman from offering any opinion regarding: (1) the FDA’s clearance process and (2) the Material Safety Data

Sheet for the Marlex HGX-030-01 polypropylene used in the Avaulta and Align products.

1. FDA Clearance Process

As noted above, I have repeatedly excluded evidence regarding the FDA's clearance process. I **ADOPT** those findings here and insofar as any *Daubert* motion in this case challenges the FDA-related testimony discussed here, and the motion is **GRANTED** on this point.

2. Opinion Regarding the MSDS Sheet

In response to the plaintiffs' motion, Bard represents that Dr. Tillman "focuses her opinions on whether Bard's use of polypropylene . . . resin, notwithstanding the disclaimer contained in the MSDS, *was consistent with applicable FDA regulations.*" Notice of Adoption of Bard's Prior Memo. of Law in Opp'n to Pls. Mot. Exclude Ops. & Test. of Donna-Bea Tillman, Ph.D., M/P.A., FRAPS for Wave 4 & Wave 5 Cases, Ex. B at 9 (emphasis added) [ECF No. 4646-2]. In doing so, Bard cabins the testimony of Dr. Tillman within the purview of this court's decision to exclude testimony related to FDA compliance in this case insofar as a *Daubert* motion challenges it. Having done so, the plaintiffs' motion on this point is **GRANTED**.

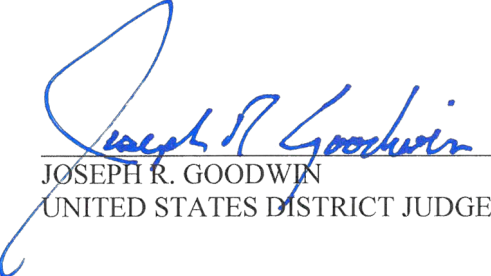
IV. Conclusion

To summarize, I **GRANT** the plaintiffs' motion concerning Dr. Donna Bea Tillman, Ph.D., M/P.A., FRAPS [ECF No. 4549] consistent with my reasoning above.

The court **DIRECTS** the Clerk to file a copy of this Memorandum Opinion and Order in 2:12-md-2187, and the Bard Wave 4 and Wave 5 cases identified in the

Exhibit attached hereto. The court further **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: January 23, 2018



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

Exhibit

“1”

Wave	Civil Action No.	Case Name
2187 COVIDIEN WAVE 1	2:13-cv-29220	Miller et al v. C. R. Bard, Inc.
2187 WAVE 4	2:11-cv-00904	Ward et al v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-00619	Dickson v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-00812	Smith et al v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-01725	Lambrecht v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-02118	Cook v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-02505	Gomez v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-02564	Richardson et al v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-02725	Moore et al v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-04481	Fine v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-05465	Azbill et al v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-06391	Jacoby v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-06470	Wilson v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-06841	Chrasteky et al v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-07079	Hubner et al v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-07570	Lee v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-07578	Degarmo v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-09632	Skinner v. C. R. Bard, Inc.
2187 WAVE 4	2:12-cv-09670	Summers v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-01025	Perez et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-01028	Warbutton et al v. C. R. Bard, Inc. et al
2187 WAVE 4	2:13-cv-01524	Holmes v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-01526	Nall v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-02139	Moubray et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-03291	Sciulla et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-04813	Gabler et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-06629	Nicholson et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-08256	Cruse et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-08365	Magers et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-08607	Zephro v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-08983	Davison v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-09324	Johnson et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-09635	Noll et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-10318	Priddy v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-10496	Santiago v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-11499	D'Angelo v. C. R. Bard, Inc. et al
2187 WAVE 4	2:13-cv-11655	Smith v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-11811	LeBeau et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-11949	Slate et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-12390	Wheeler v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-12416	Speetzen v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-12622	Cox et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-13234	Bennett et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-13245	Graciano et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-15209	Gardiner v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-16405	Newell v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-17989	Radatz v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-18752	Spencer v. C. R. Bard, Inc.

Wave	Civil Action No.	Case Name
2187 WAVE 4	2:13-cv-19575	Swarts et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-19736	Johnson v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-20036	Richardson et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-20881	Long v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-23388	Athans et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-23391	Baker v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-24208	Carnahan v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-24515	Chirino et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-24844	Steffy v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-24849	Martinez v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-24853	Sanborn et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-25041	Clothier v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-26000	Davidson et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-26011	Dunklebarger v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-26100	Moize v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-26574	Landers v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-26748	Raines et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-26796	Justice et al v. C. R. Bard, Inc. et al
2187 WAVE 4	2:13-cv-28084	Hoffman et al v. Ethicon, Inc. et al
2187 WAVE 4	2:13-cv-29220	Miller et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-29823	Robbins et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-29841	Carrillo et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-30640	Smith et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-30814	Hannig et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-30975	Alexander et al v. C. R. Bard, Inc. et al
2187 WAVE 4	2:13-cv-30998	Cassada v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-31106	Price et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-31141	Zurinsky v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-31242	Howard v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-32049	Utter et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-32187	Thomasson v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-32359	Hummel v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-32972	Wilson et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-33474	Armintrout v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-33590	Garcia et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-33628	Hunt et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-33690	Barker et al v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-33757	Mealor v. C. R. Bard, Inc.
2187 WAVE 4	2:13-cv-34058	Purcell et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-00161	Schreiber Hester et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-00404	Gilbert v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-00606	Moore et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-00807	George et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-00952	Black v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-01027	Massey v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-01411	Politi-Topal v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-02528	Cuffee et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-02847	Izatt v. C. R. Bard, Inc.

Wave	Civil Action No.	Case Name
2187 WAVE 4	2:14-cv-02877	Robbins et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-04536	Sanders v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-04542	Solis v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-05601	Sheaffer v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-06478	Wright et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-07543	Cooley et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-08261	Shattuck v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-08612	Stamey et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-09878	Ford v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-11940	Stoddard v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-14119	Wilson et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-14209	Guerrero et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-15114	Marney et al v. C. R. Bard, Inc. et al
2187 WAVE 4	2:14-cv-19736	Fuller v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-23928	Griffith v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-24747	Pickard et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-25362	Stapel v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-25366	Silvia v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-26473	Eilf v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-27463	Edwards v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-27466	Stewart et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-31139	Salgado et al v. C. R. Bard, Inc.
2187 WAVE 4	2:14-cv-31156	Springman et al v. C. R. Bard, Inc.
2187 WAVE 4	2:15-cv-00620	Hammel v. C. R. Bard, Inc.
2187 WAVE 4	2:15-cv-02461	Schoneman et al v. C. R. Bard, Inc.
2187 WAVE 4	2:15-cv-04297	Preator et al v. C. R. Bard, Inc.
2187 WAVE 4	2:15-cv-04353	Brulatour v. C. R. Bard, Inc.
2187 WAVE 4	2:15-cv-06997	Polanco v. C. R. Bard, Inc.
2187 WAVE 4	2:15-cv-08436	Fake et al v. C. R. Bard, Inc.
2187 WAVE 4	2:15-cv-11694	Kellar v. C. R. Bard, Inc.
2187 WAVE 4	2:15-cv-13199	Holbrooks et al v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-01279	Mendez v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-01610	Spence et al v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-01999	Belstad v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03707	Gritten v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03709	Drake et al v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03719	Jones v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03721	Keisling et al v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03778	Ledwein et al v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03779	Henderson v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03816	Toulson v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03817	Struble et al v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03842	Moore et al v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-03896	Pickering v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-10807	Brown v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-10995	Branscome v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11011	Lackey v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11014	Miller v. C. R. Bard, Inc.

Wave	Civil Action No.	Case Name
2187 WAVE 4	2:16-cv-11016	Morgan v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11017	Powell v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11020	Teeple v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11021	Swiney v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11035	Updike v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11040	Woodard v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11041	Powers v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11103	Martin v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11104	McWilliams v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11105	Weber v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11106	Rogers v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11112	Nadeau v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11113	Hall v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11114	Phelps v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11115	Rodericks v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11116	Bivens v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11118	Gilbert v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11135	Brewer v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-11633	Madsen et al v. C. R. Bard, Inc.
2187 WAVE 4	2:16-cv-12677	Baugh v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-13614	Leslie v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-13620	Smallwood v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-13663	Gonzalez v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-13900	Leas v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-13901	Yancey et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-13903	Pierce et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-13904	Pate et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-13905	Nus et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-13926	Kinlaw-Williams et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-14028	Crouch et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-14030	Whitaker et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-14672	Epstein v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-14675	Williamson-Johnson v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-14745	McClinock et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-15055	Doyle et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-15056	Gliem et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-15067	Foster et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-15352	Acuna v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-15354	Duffitt et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-15641	Murray et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-15918	Eads et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-16068	Pierson et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-16401	Leyba v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-18852	Silva et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-19713	Westhoff v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-20235	Robertson v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-20236	Showalter et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-20396	Berlt v. C. R. Bard, Inc.

Wave	Civil Action No.	Case Name
2187 WAVE 5	2:13-cv-20766	Gonzales et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-21345	Walton v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-21538	Cespedes v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-21713	Woods v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-21732	Dailey et al v. C. R. Bard, Inc. et al
2187 WAVE 5	2:13-cv-23175	Clisante King v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-23801	McElfresh et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-24323	Nguyen v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-25280	McClenny et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-25316	Barlar v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-25321	Goodreau v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-29271	Preston et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-30030	Meador v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-30032	Spencer v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-31643	Cooper v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-31646	Brewer et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-31652	Frew v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-33156	Riddle et al v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-33991	Tyson et al v. C. R. Bard, Inc. et al
2187 WAVE 5	2:13-cv-34034	Miller v. C. R. Bard, Inc.
2187 WAVE 5	2:13-cv-34036	Wilder v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-01412	Cole et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-03436	Clanin v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-03439	Kitchen v. C. R. Bard, Inc. et al
2187 WAVE 5	2:14-cv-09564	Williams et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-09569	Cook v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-11138	Darrow v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-11363	McCarthy v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-11891	Beneke et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-11906	Heathcock et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-11919	Linder v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-12030	Hitchcock et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-12152	Tieman v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-12262	Pemberton v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-12283	Dressler et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-12426	Bilbrey et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-12489	Weilert et al v. C. R. Bard, Inc. et al
2187 WAVE 5	2:14-cv-12526	Gagel v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-12532	Grillo v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-12673	Turonek et al v. C. R. Bard, Inc. et al
2187 WAVE 5	2:14-cv-12759	Harris et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-13251	Nelson v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-13261	Smith v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-13444	Mullen v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-13574	Novak v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-13675	Levine v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-13682	Mings et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-13922	Cortez et al v. C. R. Bard, Inc.

Wave	Civil Action No.	Case Name
2187 WAVE 5	2:14 cv 13934	Esquivel v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 16367	Brooks v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 16823	Andersen et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 17354	Burton v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 17388	Drake v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 18018	Young et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 18139	Bailey et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-18151	Miller v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 18154	Peacock v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-18442	D'Andrea et al v. C. R. Bard, Inc. et al
2187 WAVE 5	2:14-cv-18890	McManus v. C. R. Bard, Inc. et al
2187 WAVE 5	2:14 cv 19474	Gerwe v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 19478	Mathis et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 19481	Oglesby v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 21507	Gunderman v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 21512	Hayes v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-21874	McCray v. C. R. Bard, Inc. et al
2187 WAVE 5	2:14 cv 22373	Weber et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 22823	Carnley et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 22836	Coles et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 22900	Hinklin et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 22961	Musgrove v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 22966	Rajk v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 22970	Ross v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 22971	Ruiz Bernal et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23267	Armijo et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23282	Garcia v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23284	Hersh v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23289	Blodgett v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23290	Czernienko v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23292	Norgah v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23298	Zielicke v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23301	Stewart v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23312	Neal et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23328	Cox v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23329	Banks v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23333	Dewitt v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23336	Foushee v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23337	Cowick et al. v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23339	Ray v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23385	Williams v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23387	Martin et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23391	Doane et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23392	Rivera et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-23395	Peacock et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23396	Rogers et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23399	Powell et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-23401	Barber v. C. R. Bard, Inc. et al

Wave	Civil Action No.	Case Name
2187 WAVE 5	2:14 cv 23413	Smith v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23414	Jansson v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23418	Raia et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23425	Smith et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23434	Stone v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23436	Upchurch v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23437	Petrovich v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23486	Surgenor v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23497	Brennan et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-23591	Becks v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-23627	Juette v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 23638	Hinojosa et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 24638	Gonzalez v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 25083	Smith v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 26372	Case v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 26375	Ely et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 26383	Williams v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 28940	Seedorff et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 28941	Williams v. C. R. Bard, Inc.
2187 WAVE 5	2:14-cv-28943	Smith et al v. C. R. Bard, Inc. et al
2187 WAVE 5	2:14 cv 28944	Barnett v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29690	Dotson v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29730	Nelson v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29781	Earhart v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29786	Lamoreaux v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29793	LePage et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29808	Casstevens et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29833	Pearson et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29856	Hart v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29930	Martinez v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29980	Rosemond v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 29991	Robbins et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30039	Nolden et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30046	Ouellette et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30055	Rector v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30199	Lytle et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30226	Caskey et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30239	Mace et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30303	Cullum et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30504	Carter et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30561	Allison v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30591	Spiker v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30717	Moser v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30725	Mooney v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30812	Griffin v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 30833	Walker et al v. C. R. Bard, Inc.
2187 WAVE 5	2:14 cv 31203	Laabs et al v. C. R. Bard, Inc.
2187 WAVE 5	2:15 cv 01205	Elliott et al v. C. R. Bard, Inc.

Wave	Civil Action No.	Case Name
2187 WAVE 5	2:15-cv-01370	Keener v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-01571	Bockmon v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-01847	Harville v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-03487	Arnold v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-04148	Eyer v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-04518	Heffran v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-05716	Krause v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-07218	Pedersen et al v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-07220	Russell et al v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-09659	Key et al v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-12622	Juarez v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-13246	Adams v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-14679	Keithley et al v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-14963	Tomac et al v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-15582	Carter v. C. R. Bard, Inc.
2187 WAVE 5	2:15-cv-16402	Smith et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-01855	Eiffler v. C. R. Bard, Inc. et al
2187 WAVE 5	2:16-cv-03989	Watson et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-04032	Elrod et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-04037	Young et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-04536	Thompson et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-04949	Prince v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-05003	Roberts et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-06318	Bess et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-06360	Crook v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-06361	Jasso et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-06362	Bailey v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-06739	Collins v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-06740	Krishnan et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-06741	Roberts v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-06743	Knernschield et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-07322	Donley v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-07402	Cole v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-07610	Lingenfelter et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-07655	Barton v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-07694	Ellis et al v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-07705	Alvey v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-08014	Mathis v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-10411	DeTro v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-10809	Clarke v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-10811	Corley-Davis v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-10814	Currie v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-10815	Dennis v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-10819	Herrera v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-10821	Martinez v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11136	Crowe v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11137	Daily v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11139	Davis v. C. R. Bard, Inc.

Wave	Civil Action No.	Case Name
2187 WAVE 5	2:16-cv-11142	Donovan v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11144	Fay v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11147	Johnson v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11150	Hale-Cuellar v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11158	Hauber v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11161	Hill v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11163	Kolodzyk v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11167	Mahnke v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11169	Miecznikowski v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11170	Morrill v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11175	Reynolds v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11186	Nichols v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11266	Frederick v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11798	Jeffries v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11803	Josey v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11811	Piper v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11817	Smith v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11819	Stephenson v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11820	Stevens v. C. R. Bard, Inc.
2187 WAVE 5	2:16-cv-11821	Tatum v. C. R. Bard, Inc.